

REMARKS

Claims 1-21 are all the claims pending in the application. Claims 4-5, 9-11, 14-16 and 20-21 are amended to make idiomatic changes without changing the scope of the claims. Entry of the Amendment is respectfully requested.

Review and reconsideration of the claims on the merits are respectfully requested.

Preliminary Matters

Applicants appreciate that, on the Office Action Summary sheet, the Examiner has acknowledged Applicants' claim for foreign priority and receipt of certified copies of the priority documents.

Applicants also appreciate that the Examiner has returned an initialed and signed copy of the Information Disclosure Statement, Form PTO/SB/08 A & B (modified), submitted to the Patent Office on February 8, 2002.

Specification

The Examiner states that the use of the trademarks including KRAFT G(N) (at page 152, line 24), MARCA LINKER M S-4P (at page 153, line 25) and TRENDSETTER 3244VFS (at page 168, line 10) should be capitalized wherever they appear and be accompanied by the generic terminology.

Applicants respond by incorporating the Examiner's suggestion to capitalize these trademarks wherever they appear and to describe these trademarks with generic terminology, for

example, KRAFT G(N) is an ink, MARCA LINKER M S-4P is a polyhydroxystyrene and TRENDSETTER 3244VFS is a laser exposure equipment.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to the specification.

Claim Objections

Claims 11-21 are objected to because of the following asserted informalities:

The Examiner states that in Claim 11, monomer (iii), represented by formula (2), comprises R_1 but no definition of R_1 is given. R_3 is defined instead. In the specification formula (2) comprises R_3 which is defined. For consistency purposes, the Examiner suggests changing R_1 to R_3 in formula (2) of Claim 11. Because R_1 and R_3 have the same definition, changing R_3 to R_1 in the definition of formula (2) would also be acceptable.

Applicants respond as follows.

Applicants are confused by the Examiner's comments and wonder if Claim 11 in the filed application appears differently from the copy of Claim 11 in Applicants' possession. In Applicants' copy of Claim 11, the Examiner's description is not apparent as formula (2) comprises R_3 and not R_1 .

Applicants affirmatively declare that formula (2) as originally filed comprises R_3 and not R_1 , and authorize the Examiner to make an Examiner's Amendment to that effect if such is not in fact the case upon the Examiner's review.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to the claims.

Claim Rejections - 35 USC § 103

Claims 1-7, 9-10 are rejected under 35 U.S.C. 103(a) as assertedly being unpatentable over Sorori et al. (US 2002/0055058 A1) in view of Nishioka et al. (JP-A-62-170950) for the reasons given in the Office Action.

Claims 11-18, 20 and 21 are rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Sorori et al. in view of Nishioka et al. as applied to Claims 1-7, 9-10 above, and further in view of Kawamura et al. (JP 10-142778) and Yamasaki et al. (US 6,242,155 B1) for the reasons given in the Office Action.

Applicants submit that Sorori and the present invention were owned by Fuji Photo Film Co., Ltd., at the time the present invention was made, so the obviousness rejection is improper under 35 U.S.C. § 103(c), since Sorori is only a reference under 35 U.S.C. § 102(e). Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person (See 35 U.S.C. § 103(c)).

Accordingly, Applicants respectfully request withdrawal of Sorori as a reference and withdrawal of the rejections under 35 U.S.C. § 103(a). The secondary references fail to overcome the deficiencies without the Examiner's primary reference to Sorori.

Allowable Subject Matter

Applicants appreciate the Examiner's statement that Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the above remarks, Applicants submit that the base claim is allowable, and thus withdrawal of the objection to Claim 8 is respectfully requested.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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